

REMARKS

In response to the Office Action dated May 20, 2005, Applicants respectfully request reconsideration and withdrawal of the rejections of the claims.

Claims 47, 56 and 66 were rejected under the second paragraph of 35 U.S.C §112, on the grounds that they were considered to be indefinite. The Office Action questions the meaning of the phrase "a common theme correlated to an index of the recordable media" set forth in these claims. To remove the basis for this question, claims 47-74 have been cancelled, and replaced with new claims 75-91. The above-noted phrase is not repeated in these claims, thereby rendering moot the ground of rejection.

All pending claims were rejected under 35 U.S.C. §103, as being unpatentable over the Slivka et al. patent in view of the Katinsky et al. patent. As noted in the background portion of the application, the claimed invention is directed to a graphical user interface that facilitates a user's ability to assemble and record media files onto a removable storage medium, such as a digital versatile disk (DVD). While the Slivka patent discloses a graphical user interface, per se, it does not disclose one that is designed for this particular type of function. The Office Action notes that the Slivka patent discloses a CD-ROM at column 5, lines 15-19. However, this disclosure is not presented in the context of *recording* media files and other content onto such a storage medium.

New claims 75-91 are presented to more clearly delineate this fundamental distinction between the subject matter of the present application and the disclosure of the Slivka patent. For example claim 75 recites that the graphical user interface includes a window that defines an area into which a user can drag and drop media

files to be recorded on the storage medium, e.g. DVD or CD. The user interface also includes a preview control element, e.g. a button, that the user can activate to reproduce the content of any of the media files within the defined area of the window. This enables the user to confirm that the media file contains content that is desired to be recorded on the storage medium. The user interface also includes a recording control element, e.g. a burn button, that enables the user to initiate the recording process once all the desired files have been placed in the defined area and their content reviewed, if appropriate.

Claim 85 also recites a graphical user interface having a window with a predefined area into which files can be dragged and dropped, and a recording control element for initiating the process of burning those files onto a CD or DVD. The claim further recites that the window of the user interface includes a control element that enables the user to select from a plurality of different themes that determine displayed features of the defined area and the icons representing the files within that area. Dependent claims 76-84 and 86-91 recite additional features of the graphical user interface that are associated with the assembly of various kinds of files into the defined area of the window, to be recorded on the removable storage medium.

It is respectfully submitted that the Slivka patent, whether considered by itself or in combination with the Katinsky patent, does not disclose, nor otherwise suggest, a graphical user interface having the elements recited in the pending claims.


Reconsideration and withdrawal of the rejection is therefore respectfully requested.

Respectfully submitted,

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